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NOTES AND NEWS.

DR. ROBERT MORRIS GIBBS, well known as a Michigan naturalist and ornithologist, died of paralysis at his home in Kalamazoo, September 18, 1908, at the age of 52. His name is familiar to most of the older bird men, as he was an occasional contributor to 'Forest and Stream,' the 'American Field,' the 'Ornithologist and Oölogist,' the 'Oölogist,' and the 'Nidologist' (later the 'Nidologist'), a word originally coined by Dr. Gibbs. His first work of importance was an Annotated List of Michigan Birds, published in Bull. U. S. Geogr. and Geol. Survey of the Territories, Vol. V, No. 3, 1879. He collected a large part of the material for Professor Cook's 'Birds of Michigan,' published by the Michigan Agricultural College in 1893, but the final draft of this bulletin was made entirely by others.

About twenty years ago Dr. Gibbs suffered a stroke of paralysis which

crippled him so completely that during the remainder of his life he was confined to a wheel chair and able to accomplish but very little field work, although he used his pen pretty steadily until the last. Ornithologists are indebted to him for many valuable field notes and critical observations, as well as for his lists of Michigan birds. He also published one or more lists of Michigan reptiles, and did some work on the mammals of the State during his later years. His collections of birds and mammals were purchased many years ago by the Michigan Agricultural College and the University of Michigan.—W. B. B.

THE Fourth Annual Meeting of the National Association of Audubon Societies was held at the American Museum of Natural History, New York City, October 27, 1908. To facilitate the work of the Association several changes were made in the By-Laws, reducing the number of Directors from thirty to eleven, and making six instead of five a quorum. In addition to the Board of Directors, an Advisory Board was established, "consisting of not less than ten nor more than thirty members," to which the Board of Directors may submit any matter for advice. With a large and widely scattered Board of Directors it has been found impossible to secure a satisfactory attendance at meetings; a smaller Board, with a more concentrated residence, seemed to promise greater efficiency in the transaction of business. The following officers were elected for the ensuing year: President, William Dutcher; First Vice-President, Dr. T. S. Palmer; Second Vice-President, Dr. J. A. Allen; Secretary, T. Gilbert Pearson; Treasurer, Dr. Jonathan Dwight, Jr. Upon invitation of Mr. Gifford Pinchot, the following Committee was appointed, to coöperate with the National Conservation Commission: Edward Howe Forbush (Chairman), Dr. T. S. Palmer, Frank M. Chapman, T. Gilbert Pearson, William Dutcher. Following the reports of the President, Secretary and Treasurer, an illustrated address was given by Mr. William L. Finley on the work of the plume hunter in Oregon. The work of the Association for the year 1908, as detailed in the report of the President, has already been noticed (*antea*, p. 100).

AN IMPORTANT decision has recently been made by the Supreme Court of the United States respecting the sale in this country of imported game. The decision is that of the Silz Case, which was begun in the courts of Kings County (Brooklyn), New York, in April, 1905. The history of this case is given in full by Dr. T. S. Palmer in 'Circular No. 67' of the Bureau of Biological Survey, issued December 9, 1908, on which the following details are based. "On April 6, 1905, John Hill, proprietor of the Clarendon Hotel in Brooklyn, was arrested for having in possession in close season 24 brace of English Plover and Russian Grouse. These birds had been purchased from August Silz, one of the largest importers of foreign game in New York City, Silz at once became a party to the case and on the next day was arrested by Henry Hesterberg, the sheriff of the county,

for having in possession on March 30, 1905, in Kings County, N. Y., one Golden Plover and one Blackcock from Russia. . . . This game was said to have been captured in the open season, purchased in London, and imported into the United States in accordance with the tariff law and regulations." On April 7, Silz obtained a writ of habeas corpus from the supreme court in Brooklyn, and on June 16 the writ was quashed and the relator was remanded to the custody of the sheriff. He appealed the case, and the appeal was sustained by the appellate division of the supreme court. On February 26, 1907, the court of appeals reversed this decision, and Silz was again remanded to the custody of the sheriff of Kings County. On July 27, the final order quashing and dismissing the writ of habeas corpus was issued. In 1907 the case was appealed to the Supreme Court of the United States on writ of error. The case was argued October 15, 1908, and the final decision was rendered on November 2, 1908, affirming the judgment of the court of appeals of New York. The opinion of the court was rendered by Mr. Justice Day.

Dr. Palmer cites the opinion in full, and further gives a history of the question of the right of a State to regulate possession and sale of game taken outside its boundaries. He also comments on the importance of the decision in its relation to game protection in the United States, stating: "The present decision in the Silz case disposes of the question whether a State has the right to regulate possession and sale of game taken outside its boundaries — a question which has been before the State courts in one phase or another for more than thirty-five years, and which is here presented in an extreme form, namely, regulation of the sale of game imported from foreign countries." This decision also, he further states, "directly affects dealers in game, importers, and many persons engaged in the millinery trade, and is also of unusual interest to sportsmen and friends of game protection."

Evidently if a State can regulate the importation and sale of game, it can also regulate, or prohibit, the importation and sale of foreign birds for millinery purposes, and thus aid in checking the immense slaughter of birds in foreign countries for such use.

DR. RUDOLPH M. ANDERSON, formerly of Blee Military Academy, Macon, Mo., is now engaged in zoölogical exploration in Arctic America, in the interest of the American Museum of Natural History. The expedition, in charge of Mr. Vilhjalnr Stefánsson, left New York in April, 1908, reaching the Great Slave Lake region in June, and later descended the Mackenzie River to the Arctic coast, where the explorers will pass the winter. The expedition is expected to occupy two years, Mr. Stefánsson giving special attention to the anthropology and Dr. Anderson to the zoölogy of portions of Arctic America thus far practically unexplored. The first shipment of specimens reached the Museum in October, and though not large, contained a number of birds and mammals of much interest, including the nest of the Bohemian Waxwing described in the present number of this journal (see pp. 10-12) by Dr. Anderson.

DR. D. G. ELLIOT has recently returned to New York from a prolonged trip around the world, during which considerable time was spent in India, China, Japan, and Hawaii. Dr. Elliot is engaged in the preparation of a monograph of the Primates, a group of mammals at present in greatest need of thorough revision, and his visit to Europe was for the purpose of studying the material in foreign museums, including especially the types of previous authors.

MAJOR EDGAR A. MEARNS, Medical Corps, U. S. Army, who has twice in recent years been detailed to service in the Philippines, has recently been placed on the retired list with the rank of Lieutenant Colonel. President Roosevelt having invited him to accompany him on his hunting trip to Africa in April next, Dr. Mearns's field of experience as a naturalist will be further widened by a year's work in the interior of Africa, where he will have the good wishes of all his fellow members of the A. O. U.

ARRANGEMENTS have been made for the celebration of the one hundredth anniversary of the birth of Charles Darwin by the New York Academy of Sciences on February 12 next at the American Museum of Natural History. The memorial exercises will include the presentation to the Museum of a bust of Darwin, the presentation to be made by Charles F. Cox, President of the Academy, and the acceptance will be by Henry F. Osborn, President of the Museum. Other addresses will be on 'Darwin's work in Botany,' by Professor N. L. Britton; 'Darwin's work in Zoölogy,' by Professor H. C. Bumpus; 'Darwin's work in Geology,' by Professor J. J. Stevenson.

A PROMINENT feature of 'Bird-Lore' for the last five years has been the series of colored plates of North American birds. The first series of twenty-four was devoted to the Wood Warblers (Mniotiltidæ), and was reissued later, with appropriate text, as 'The Warblers of North America.' The Warbler plates were followed by colored plates of the Thrushes, and these by colored plates of the Flycatchers. The Flycatcher series will be completed in the next issue (Jan.-Feb., 1909) of the magazine, and will be followed by colored plates of the Vireos, to be completed in 1909. It is now announced that the Vireo series will be followed by plates of the Sparrows, which, we are sure, will also meet with a hearty welcome on the part of 'Bird-Lore' readers, and later serve as the basis of other such admirable monographs as the now well-known 'Warbler Book.'

THE prospectus of a new illustrated monthly magazine, to be known as 'Travel and Exploration,' has recently been issued by Witherby and Company, London. The magazine will be devoted to illustrated articles dealing with travel in all its aspects, of which a prominent feature will be the personal narratives of explorers of wild and little known regions, including Polar expeditions, both North and South, as well as other out of the way regions. The list of contributors presented includes the names of several widely known explorers. The first number is announced to appear January 1, 1909.